

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:24-CV-531-BO

UNITED STATES OF  
AMERICA,

Plaintiff,

v.

BAXLEY REAL PROPERTY,

Defendant.

**MOTION TO WITHDRAW AS  
COUNSEL FOR CONSTANCE  
BAXLEY**

NOW COMES undersigned counsel and moves this Court for an order permitting him to withdraw from further representation of Claimant CONSTANCE A. BAXLEY in this matter. Undersigned counsel will continue to serve as counsel to Claimant Rudolph L. Baxley. In support of this Motion, undersigned counsel shows the Court the following:

1. Undersigned counsel has previously entered a notice of appearance for both Constance A. Baxley and Rudolph Baxley, as claimants in this case.

2. Facts have recently arisen creating a potential conflict of interest for undersigned counsel to continue to represent Constance, that require him to withdraw pursuant to the North Carolina Rules of Professional Conduct. These facts do not affect undersigned counsel's ability to continue to represent Rudolph.

3. Undersigned counsel has discussed these issues with Constance, and she agrees with and consents to undersigned counsel's withdrawal from further

representation of her in this case. Constance intends to retain new counsel to represent her in this case.

4. Given these facts, undersigned counsel respectfully requests that he be permitted to withdraw from further representation of Constance Baxley in this matter.

This the 24<sup>th</sup> day of April, 2025.

**GAMMON & ZESZOTARSKI,  
PLLC**

/s/ Joseph E. Zeszotarski, Jr.  
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